

## **APPENDIX B**

### **ASSESSING PUBLIC TRUST AND CONFIDENCE IN AND PUBLIC SUPPORT FOR THE COURTS**

Over the last three decades, federal, state, and private agencies and institutions have conducted many surveys involving public perception of the judicial system. The 13 surveys included in this report were selected both for their specific content and for the quality of their survey sample. Information the task force considered is set forth in three parts:

- Part 1 provides a general overview of the surveys considered, including a list of the surveys in alphabetical order by state, survey objectives, and methodology;
- Part 2 displays the survey response analysis and conclusions; and
- Part 3 contains more detailed summaries of each survey.

## PART 1: OVERVIEW OF SURVEYS CONSIDERED

### Surveys Considered

This report relies on the findings of eleven statewide public opinion surveys published by various state government agencies during the last ten years as well as two nationwide surveys — one conducted by the Hearst Cooperation in 1983 and the other by the National Center for State Courts in 1978. (This analysis does not include the recent Los Angeles Blue-Ribbon Commission on Superior Court Improvement Study as it was released after the conclusion of task force activities.)

<b>PUBLIC OPINION SURVEYS CONSIDERED</b>			
<b>State</b>	<b>Survey Title</b>	<b>Sponsor(s)</b>	<b>Year</b>
Arizona	<i>Arizona State Court Citizens' Survey: The Public Perspective</i>	Arizona Supreme Court	1997
California(1)	<i>Surveying the Future: Californians' Attitudes on the Court System</i>	Commission on the Future of the California Courts	1992
California(2)	<i>California Public Opinion Surveys</i>	Advisory Committee on Racial and Ethnic Bias In the Courts	1995
Florida	<i>Florida Statewide Public Opinion Survey</i>	Judicial Management Council Committee on Communication and Public Information	1996
Iowa	<i>Public Awareness of the Courts in Iowa</i>	The Steering Committee of the Iowa Supreme Court Commission on Planning for the 21st Century	1996

<b>PUBLIC OPINION SURVEYS CONSIDERED (continued)</b>			
<b>State</b>	<b>Survey Title</b>	<b>Sponsor(s)</b>	<b>Year</b>
Massachusetts	<i>Reinventing Justice: 2022</i>	Chief Justice's Commission on the Future of the Courts	1992
Mississippi	<i>Public Attitudes About the Mississippi Judiciary</i>	The Administrative Office of the Courts	1995
National	<i>The American Public, the Media, and the Judicial System</i>	The Hearst Corporation	1983
National	<i>The Public Image of Courts</i>	The National Center For State Courts	1978
New Mexico	<i>Community Survey of Lawyers and the Legal System</i>	State Bar and the Administrative Office of the Courts	1997
North Carolina	<i>North Carolina Court System Research</i>	Commission for the Future of the Courts in North Carolina	1995
Utah	<i>Doing Utah Justice</i>	Commission on Justice in the Twenty-First Century	1991
Washington	<i>Washington State Judicial Survey: Final Report</i>	Office of the Administrator of the Courts	1988

### **Survey Objectives**

All of the public opinion surveys listed above were included in the analysis because they had at least one of the following objectives:

- To determine the general public's **overall opinion** of their court system;

- To determine if the general public has the **perception of bias** within their court system: specifically with regards to race, income, and gender;
- To determine the general public's level of **confidence** in their court system; and
- To determine the general public's **familiarity** with their court system.

### **Survey Methodologies**

All thirteen of the surveys in this report used similar survey methodologies: (1) all were based at least in part on a random sample of the general public, and (2) with the exception of the National Center for State Courts' survey which was conducted in-person, all of the surveys relied on telephone interviews.

## PART 2: SURVEY RESPONSE ANALYSIS

### Survey Findings

Analysis of the 13 surveys suggests the following four general conclusions about the general public's perception and understanding of the justice system.

**1. Overall Opinion of the Court System:** Ten of the 13 surveys included a question that elicited respondents' overall opinion of their local court system. The responses suggest that most often less than half of the public has a generally positive opinion of the local court system. Furthermore, 15 to 25 percent of the public have a generally negative opinion of their court system. It should be noted that in most cases, the higher the court, the better the public's opinion. In other words, state supreme courts are almost always slightly more popular than local courts.

<b>RESPONDENTS' OVERALL OPINION OF THEIR LOCAL COURT SYSTEM. INCLUDES QUESTIONS THAT ASKED WHETHER RESPONDENTS APPROVED OR DISAPPROVED OF THEIR COURT SYSTEM.</b>			
<b>State</b> (in alpha order)	<b>Positive</b>	<b>Neither / Fair</b>	<b>Negative</b>
Arizona	46%	41%	13%
California(1)	46%	35%	17%
Florida	41%	32%	16%
Iowa	52%	25%	14%
Massachusetts	22%	43%	28%
Mississippi	48%	*	32%
New Mexico	28%	39%	22%
North Carolina	38%	30%	33%
Utah	60%	*	29%
Washington	48%	28%	23%

\*These surveys did not provide an option for a neutral opinion.

**2. Perception of Bias in the Court System:** Five of the surveys included a series of questions that asked respondents if they believed that income, gender, or race were related to the level of fairness in their court system. Although the specific wording of these questions often differed by survey, the conclusion that can be drawn is that respondents generally believe that their courts are not consistently fair. Income is perceived as the most salient factor; 60 to 80% of respondents believe that it affects the court system.

<b><i>PERCENTAGE OF RESPONDENTS THAT BELIEVE INCOME, GENDER, OR RACE ARE RELEVANT TO AND SOMETIMES INFLUENCE COURT EXPERIENCES AND OUTCOMES</i></b>			
<b>State (in alpha order)</b>	<b>Income</b>	<b>Gender</b>	<b>Race</b>
Arizona	82%	52%	62%
Iowa	83%	23%	47%
Florida	69%	N/A	47%
Massachusetts	66%	48%	55%
Washington	58%	23%	31%

The California (2) survey, *Fairness in the California State Courts*, addressed only gender and race as influences on court experiences and outcomes. In general, Californians were undecided about whether women obtain fair treatment in the courts. As to race, on a scale of “1” to “10,” ranging from “not at all fair” to “extremely fair,” the public perceived the state courts to be fair toward minorities, ranking 5.5 on the 10-point scale. This ranking was consistently lower among respondents who were from racial minorities.

**3. Confidence in the Court System:** Six of the surveys included a question that asked respondents about their level of confidence in the court system. While respondents tend to have more confidence in the court system than in many other government institutions, the courts do not enjoy an overwhelming level of public confidence. The significant variability between reports may be attributed at least in part to different wordings of the questions.

<b><i>RESPONDENTS' LEVEL OF CONFIDENCE IN THEIR COURT SYSTEM</i></b>			
<b>State (in alpha order)</b>	<b>Much</b>	<b>Some</b>	<b>Little</b>
Arizona	16%	56%	29%
California(1)	17%	N/A	N/A
Florida	13%	61%	26%
Iowa	42%	40%	15%
National (NCSC)	23%	38%	37%
Utah	49%	24%	19%

**4. Familiarity with the Court System:** Twelve of the 13 surveys gathered information about the public’s level of familiarity with the court system. This was

accomplished by (a) asking direct test questions; (b) by asking respondents to describe their level of familiarity with the courts; and (c) asking respondents where they received their information about the courts.

a. Direct Test Questions Asked: Most often respondents were asked to answer several questions that tested their knowledge of court operation or organization. Although most of these questions vary considerably by report, nine of the surveys asked respondents to comment on the nature of the burden of proof in criminal trials, so responses to that question are presented to show a comparison in responses.

<b><i>RESPONDENTS THAT INCORRECTLY ANSWERED THE QUESTION, "IN A CRIMINAL TRIAL, IS IT UP TO THE DEFENDANT TO PROVE HIS OR HER INNOCENCE?"</i></b>	
<b>State (in alpha order)</b>	<b>Percent Incorrect</b>
California (1)	48%
Florida	39%
Iowa	36%
Massachusetts	37%
Mississippi	21%
National (NCSC)	37%
National (Hearst)	50%
Utah	34%
Washington	34%

b. Level of Familiarity With the Courts: Five of the surveys asked respondents to describe their level of familiarity with the court system. These surveys found that between 20 and 40 percent of the populace believe that they are familiar with the organization and operation of their court system.

<b>RESPONDENTS LEVEL OF FAMILIARITY WITH THEIR COURT SYSTEM.</b>	
<b>State (in alpha order)</b>	<b>% of Respondents Declaring Some Familiarity</b>
California (1)	38%
Florida	34%
Massachusetts	23%
National (NCSC)	37%
Washington	26%

c. Source of Public's Information: Five of the surveys asked respondents where they received their information about the court system. In all five, newspapers or television news were identified most frequently, usually by about three-quarters of respondents.

<b>SOURCE OF INFORMATION ABOUT THE COURT SYSTEM</b>		
<b>State (in alpha order)</b>	<b>% of Respondents Identifying TV News</b>	<b>% of Respondents Identifying Newspapers</b>
Iowa*	90%	87%
<i>New Mexico</i> **	70%	65%
North Carolina***	22%	58%
Utah*	83%	83%
<i>Washington</i> **	54%	75%

\* Respondents were asked the to rate the frequency with which they used the news source for information about the courts. The numbers reflect those that identified they used the news source at least minimally.

\*\* Respondents were asked individual yes-no questions about each news source. The numbers reflect those that responded "yes."

\*\*\* Respondents were asked to choose one primary source.



<p><b>PART 3: DETAILED SURVEY SUMMARIES</b> (in reverse chronological order)</p>
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<p>1. State: New Mexico</p>
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<p>Report: <i>Community Survey of Lawyers and the Legal System</i></p>
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<p>Date: 1997</p>
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<p>Prepared for: State Bar of New Mexico/Administrative Office of the Courts</p>
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<p>Prepared by: Research and Polling, Inc.</p>
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**Objectives**

The objective of this study was to assess public attitudes and opinions of lawyers and the court system in the state of New Mexico.

**Methodology**

Telephone numbers were generated using the Research and Polling, Inc. statewide database. Telephone interviews were conducted between April 23 and May 19, 1997. The study employed a random sample of 403 New Mexico residents and has a margin of error of plus or minus 4.9%.

**Findings**

**Overall Opinion:** Approximately half of the respondents reported having either a “very negative” (19%) or “somewhat negative” (32%) impression of the court system, while two-fifths had either a “very positive” (3%) or “somewhat positive” (36%) impression. Overall, only 28% of respondents agreed that the quality of legal services in New Mexico is very good, compared to 39% who were neutral, and 22% who disagreed.

**Perception of Bias:** While 49% of respondents agreed with the statement that “the New Mexico courts treat everyone with equal respect,” 15% disagreed with the statement, and 24% were neutral.

**Familiarity:** Not more than 2% of respondents knew the name of any judge in New Mexico. Approximately two thirds of respondents reported that they got most of their local news from the television (70%) or the newspaper (65%).

2. State: Arizona

Report: *Arizona State Court Citizens' Survey: The Public Perspective*

Date: 1997

Prepared for: Arizona Supreme Court

Prepared by: Arizona Administrative Office of the Courts with assistance of O'Neil Associates, Inc.

### **Objectives**

The major objectives of this study were to measure public trust and confidence in the courts relative to other governmental institutions, to determine the public's concept of the desired or ideal justice system, to explore public opinion about strategies to increase public knowledge of the courts, and improve public attitudes toward the courts, to increase public participation in the courts by developing an ongoing process for gathering consumer information for input into the court's strategic planning process, and to explore issues of importance to the courts as a social institution and as a branch of government coequal with the executive and legislative.

### **Methodology**

The first phase of the survey consisted of a random telephone poll of 511 Arizona citizens. The margin of error for the survey is plus or minus 4.5%.

### **Findings**

*Overall Opinion.* The survey concluded that, while it would be an overstatement to say the courts enjoy an overwhelming level of admiration among the state's citizens, the courts are generally respected. Nevertheless, only 46% of respondents gave the courts an overall rating of excellent or good. By contrast, 41% rated the courts as only fair, and 13% gave a rating of poor.

*Perception of Bias.* The majority of respondents (56%) disagreed with the statement that "the courts do a good job delivering Equal Justice For All." Similarly, 62% of respondents did not believe the courts treat whites and minorities alike, 52% did not believe courts treat males and females alike, and an overwhelming 82% did not believe the courts treat wealthy and poor people alike.

*Confidence.* In this survey, 47% of respondents regarded the judicial branch as the most trusted branch of government, and 72% reported having at least some confidence in the state's courts.

*Familiarity.* Among these respondents, 43% had received most of their perceptions about the court system from some form of mass media rather than

from personal or educational experience. Only 39% had attended a court proceeding in Arizona within the past two years.

3. State: California (2)

Report: Fairness in the California State Courts: A Survey of the Public, Attorneys, and Court Personnel

Date: 1993

Prepared For: The Judicial Council Advisory Committee on Racial and Ethnic Bias in the Courts

Prepared By: CommSciences

### **Objectives**

The objective of this study was to ascertain public perceptions of fairness in the court system in the state of California.

### **Methodology**

This report compiled the results of two separate surveys, a public opinion survey and a written survey of lawyers and court personnel. For purposes of this analysis, the results of **only** the public opinion survey are included. Telephone interviews were conducted in August and September 1993. The study employed a random dial telephone sampling of 1,338 Californians and has a margin of error of plus or minus 2.8%.

### **Findings**

*Overall Opinion.* A question regarding overall opinion of the courts was not asked in this survey.

*Perception of Bias.* On a scale of '1' to '10', ranging from "not at all fair" to "extremely fair," respondents, on average, rated the overall fairness of the California Courts to be approximately '5'.

*Familiarity.* A majority of respondents—54 %—reported low to moderate levels of experience with the courts, with the average level of familiarity ranked at 4.6 on a scale of '1' to '10', ranging from "not at all familiar" to "very familiar." Fifty-eight percent of respondents reported that they obtain most, if not all, of their information about the courts from the mass media.

4. State: Iowa

Report: Public Awareness and Assessments of the Courts in Iowa

Date: 1996

Prepared for: Final Report, the Steering Committee of the Iowa Supreme Court Commission on Planning for the 21<sup>st</sup> Century

Prepared by: Arthur H. Miller & Andrew A. Peebler, University of Iowa Social Science Institute

### **Objectives**

This study was intended to determine the level of public awareness, approval, and understanding in the Iowa court system. Furthermore, it was intended to reveal public sentiment about various issues facing the court system.

### **Methodology**

The survey was based on 803 interviews conducted by the Iowa Social Science Institute between September 12 and October 6, 1995.

### **Findings**

*Overall Opinion.* The study found that 63.5% of respondents approved of “the job that Iowa courts are doing,” and only 21.5% disapproved. Along the same lines, 52.1% of respondents had a positive opinion of the Iowa state courts in general. By contrast, 24.6% had a neutral opinion, and 13.9% had a negative opinion.

*Perception of Bias.* In this survey, 47.4% of respondents believed that the courts treat blacks and Hispanics worse than others, and 22.9% believed the same is true for women. Moreover, 82.8% of respondents believed that the courts treat wealthy people better than others.

*Confidence.* The study found that respondents had a fair amount of trust in Iowa’s courts. On a scale of 1 (no trust at all) to 5 (a great deal of trust) about 40% of respondents rated the courts at a 4 or higher and about 80% rated them at a 3 or higher.

*Familiarity.* Only 16.3% of respondents reported being “very interested” in the workings of the state court system, while 70.1% reported being “somewhat interested.” A surprising 36.2% agreed that “in a criminal trial, it is up to the person who is accused of a crime to prove his or her innocence.” Almost three-quarters of respondents identified newspapers or television news as the most important source of information about the courts. Just under half of respondents had been to a courthouse to use court services in the past three years. Just over half had attended a court proceeding in Iowa for any reason.

5. State: Florida  
Report: *Florida Statewide Public Opinion Survey*  
Date: 1996  
Prepared for: Judicial Management Council Committee on Communication and Public Information  
Prepared by: Oppenheim Research

### **Objectives**

This study was designed to gather information about the level of public knowledge about the Florida court system, the public's perception and attitudes about the court system, the significance placed on the court system by the public, and the level of the public's involvement with the courts.

### **Methodology**

The survey consisted of 1042 randomly selected Florida adults who were interviewed by telephone during May and June of 1996. The margin of error is plus or minus 4%.

### **Findings**

*Overall Opinion.* The study found that 41.3% of respondents had a good overall opinion of the court system in Florida, 32.2% had an "only fair" overall opinion and 15.5% had a poor opinion.

*Perception of Bias.* Only 38.9% of respondents agreed that Florida courts treat whites and minorities alike. Similarly, only 22.8% of respondents believed courts treat poor and wealthy people alike.

*Confidence.* Although 74.4% of respondents claimed to have "at least some" confidence in the courts, very few (only 13.2%) claimed to be "extremely" or "very" confident in the courts.

*Familiarity.* In this study, 34.3% of respondents reported being familiar with the Florida courts, while 45.1% reported being only somewhat familiar. Among these respondents 60.7% knew that the defendant is not expected to prove his or her innocence, 65.1% identified newspapers or television as their primary source of information about the state court system, and 40% stated that they would like more information about the courts.

<p>6. State: North Carolina Report: <i>North Carolina Court System Research</i> Date: 1995 Prepared for: Commission for the Future of Justice and the Courts in North Carolina Prepared by: Wilkerson &amp; Associates</p>
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## **Objectives**

The primary objectives of this study were to determine the general level of knowledge about and contact with the court system in North Carolina; to find out where the citizens get their information about the court system; to determine what problems with the operation of the courts are most important to the citizens of North Carolina; to determine perceptions of how well the courts are performing their functions; to assess the attitudes about possible future changes to the court system, such as greater use of arbitration and mediation and establishment of a family court; to investigate attitudes and knowledge about the selection of judges in North Carolina; to determine attitudes about the accountability and governance of the court system in North Carolina; and to identify important differences in attitudes by race, gender, socioeconomic status, and geography.

## **Methodology**

The quantitative phase of the research involved a telephone survey with a random sample of 805 adult residents of North Carolina age 18 or older conducted between August 24 and September 7, 1995. The overall margin of error is plus or minus 2.9%.

## **Findings**

*Overall Opinion.* While 37.5% of respondents had a favorable opinion and 29.9% had no opinion of the North Carolina court system, a full 32.6% had an unfavorable opinion. However, when the question was rephrased to include other institutions, the North Carolina courts were rated favorably by 50.3% of respondents and unfavorably by only 24.2%.

*Familiarity.* Just over half of the respondents had been a plaintiff or a defendant in a court case. About 80% of respondents reported that they got most of their information about the courts from a newspaper or television news. Of the respondents that voted in the 1994 general election, only 29% voted for a judge candidate. However, 78% of those that voted for a judge candidate could not remember the name of that candidate.

7. State: Mississippi

Report: *Public Attitudes About the Mississippi Judiciary*

Date: 1995

Prepared for: The Administrative Office of the Courts

Prepared by: Department of Political Science, University of Mississippi

### **Objectives**

The survey was designed to provide a broad overview of citizen confidence in the Mississippi courts and court personnel, as well as information on public opinion about several proposals to reform the court system.

### **Methodology**

Telephone interviews of a random sample of Mississippians age 18 and older were conducted between August 7 and August 15, 1995. Phone numbers were obtained from a statewide sample purchased from a professional sampling firm. Of a total of 1243 people contacted, 671 completed the survey. The margin of error for the survey is plus or minus 4.5%.

### **Findings**

*Overall Opinion.* About 48% of respondents approved of the job that Mississippi local courts were doing.

*Perception of Bias.* About 51% of respondents did not believe that the judicial system treats everyone fairly, regardless of race or ethnic background.

*Familiarity.* Only 11% of respondents could name even one of the Mississippi Supreme Court Justices, and 21% of respondents believed that the defendant bore the burden of proof in criminal cases.



8. State: Massachusetts

Report: *Reinventing Justice: 2022*

Date: 1992

Prepared for: Chief Justice's Commission on the Future of the Courts

Prepared by: Opinion Dynamics Corporation

### **Objectives**

This study's objectives were to assess public knowledge of and attitudes toward the court system, to measure the reaction to some possible changes in the court system, and to identify areas where the public feels the court system needs improvement.

### **Methodology**

The survey was conducted using standard statistical methods and was based on 400 telephone interviews conducted across Massachusetts. The margin of error is plus or minus 5.7%.

### **Findings**

*Overall Opinion.* Respondents demonstrated a very modest approval of the Massachusetts court system. Almost half (49%) of respondents rated the court system as "only fair." Slightly more respondents (28%) rated the court system as "poor" than rated it "excellent" or "good" combined (22%).

*Perception of Bias.* The majority of respondents (55%) believed that blacks and other minorities are not treated fairly by the courts; 48% of respondents did not believe that women are treated fairly; and 66% did not believe that poor people are treated fairly.

*Familiarity.* When asked to rank their level of knowledge about the court system on a scale of 1 (not informed at all) to 5 (very well informed), 23% of respondents ranked themselves at 4 or 5, while 32% placed themselves at 1 or 2. About 37% of respondents believed that "in a criminal trial, it is up to the person accused of the crime to prove his or her innocence."

9. State: California

Report: *Surveying the Future: Californians' Attitudes on the Court System*

Date: 1992

Prepared for: Commission on the Future of the Courts

Prepared by: Yankelovich, Skelly and White/Clancy Shulman

### **Objectives**

The survey was a part of the Vision 2020 Project. It was intended to determine public attitudes toward and future hopes for the California court system.

### **Methodology**

The study was based on 1506 telephone interviews conducted from September 14 to October 13, 1992. Respondents included 1002 English speaking California residents, 243 Spanish-speaking residents, and 251 attorneys.

### **Findings**

*Overall Opinion.* The study found that a majority of respondents (52%) had an “only fair” or “poor” overall opinion of the court system. Only 32% had a “good” opinion of the courts, and 14% had a “very good” or “excellent” overall opinion.

*Confidence.* Only 17% of respondents were either “extremely” or “very” confident in the court system. In this respect, the courts ranked just above the news media and significantly below public schools. Furthermore, it should be noted that Asian, Hispanic, and especially black respondents tended to have a much lower level of confidence than whites.

*Familiarity.* Only 38% of respondents considered themselves at least “familiar” with the court’s operation and organization. But 52% correctly labeled as false the statement that “in a criminal trial, it is up to the person who is accused of a crime to prove his or her innocence.”

10. State: Utah Report: <i>Doing Utah Justice</i> Date: 1991 Prepared for: Commission on Justice in the Twenty-first Century — Final Report Prepared by: Dan Jones and Associates
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### **Objectives**

This report was intended to determine how much ordinary citizens knew about the state courts and how well they thought the courts were performing their mission. The surveys placed particular emphasis on finding out what public needs were not being adequately met by the system.

### **Methodology**

Dan Jones and Associates, a well-known local polling firm, conducted a survey of 612 adult citizens statewide in April 1990 and a follow-up survey of 602 adults, using most of the same questions in November 1991. The margin of error is plus or minus 4%.

### **Findings**

*Overall Opinion.* In this study, 60% of respondents believed that the courts in Utah “are doing a good job” compared to only 29% that disagreed. While a minority of the public (19%) thought that the state courts were in need of “a lot of reform,” a large majority (70%) thought the system needed “some reform.”

*Confidence.* Of the 15 institutions listed on the survey, respondents ranked the state court system approximately in the middle in terms of confidence. On a scale of 1 (not at all confident) to 7 (very confident), 49% ranked the Utah trial courts at 4, 5, or 6, and 19% ranked them at 1, 2, or 3.

*Familiarity.* About 59% of respondents had attended a court proceeding in Utah at some time in the past, and 34% believed that in a criminal trial it is up to the person who is accused of the crime to prove his innocence.

11. State: Washington

Report: *Washington State Judicial Survey: Final Report*

Date: 1988

Prepared for: Office of the Administrator of the Courts

Prepared by: GMA Research Corporation

### **Objectives**

This study was intended to explore the awareness and confidence levels of Washington State residents with regards to the court system. The results were to be used to develop strategies for increasing public understanding of the judicial system. Furthermore, they were to provide a baseline measurement to which future surveys could be compared.

### **Methodology**

Computer-assisted telephone interviews were used to gather information from qualified respondents throughout the state of Washington. The sample was provided by Survey Sampling, Inc., and included a random telephone listing drawn proportionate to the population in Washington state. A total sample size of N=800 was collected. The overall margin of error is plus or minus 3.7%.

### **Findings**

*Overall Opinion.* Nearly one half (48%) of respondents reported having a favorable impression of the court system, but almost a quarter (23%) reported having a negative impression.

*Perception of Bias.* Only 49% of respondents reported believing that whites and nonwhites are treated with equal fairness by the Washington courts. While 61% of respondents believed that men and women are treated equally, and only 28% believed that poor people and wealthy people are treated equally.

*Familiarity.* Only a quarter of respondents rated themselves as being familiar with the court system. While 34% believed that, in a criminal trial, it is up to the person who is accused of the crime to prove his or her innocence, 93% believed that the reworded statement, "in a criminal trial, it is up to the prosecutor to prove the person accused of the crime is guilty" was correct.

12. State: National

Report: *The American Public, The Media, and the Judicial System*

Date: 1983

Prepared for: The Hearst Corporation

Prepared by: Research and Forecasts, Inc.

### **Objectives**

The study had four objectives: to measure the public's knowledge of important legal concepts, to determine where Americans get their information, to assess their personal experience with the judicial system, and to document public opinion about certain contemporary issues.

### **Methodology**

Research and Forecasts, Inc. conducted a telephone survey of a random sample of 983 people 18 years and over in 1983. The overall margin of error is plus or minus 3.2%.

### **Findings**

*Familiarity.* The survey included many questions intended to test the respondents' knowledge of the courts. Of the three branches of government, only 21% felt they were best informed about the judiciary. A surprising 50% of respondents believed that in a criminal trial it is up to the accused to prove his or her innocence.

Respondents most frequently received their information about the courts from either television or newspapers, but 20% of respondents had been a party to a civil case that went to court.

13. State: National Report: <i>The Public Image of Courts</i> Date: 1978 Prepared for: The National Center For State Courts Prepared by: Yankelovich, Skelly and White, Inc.
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### **Objectives**

This report was intended to determine the public's views of court system performance and at the same time ascertain the extent to which these views were rooted in knowledge and experience with the courts.

### **Methodology**

The report was based on four separate samples. These included a sample of 1931 members of the general public, 317 lawyers and state judges, and 278 community leaders. Interviews were conducted in person during October-December 1977.

### **Findings**

*Confidence.* The report concluded that the general public is dissatisfied with the performance of courts and ranks the courts lower than many other American institutions. Only 23% of respondents were "extremely" or "very" confident in state and local courts. While 38% reported being "somewhat" confident, 37% reported being only "slightly" or "not at all" confident in the courts. Furthermore, the report found that respondents who reported a familiarity or experience with the courts were more likely to have less confidence than respondents who had no such experience.

*Familiarity.* Only 37% of respondents believed that they were familiar with the operation and organizations of their local courts. And 37% believed that, "in a criminal trial, it is up to the person who is accused of the crime to prove his innocence."

